

06-28-01

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PTO/SB/05 (11-00)

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Approved for use through 10/31/2002. OMB 0651-0032

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# UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No. 728-211(YOR9-2001-0314 US1)  
 First Inventor Dimitri Kanevsky  
 Title Volume Regulating and Monitoring System  
 Express Mail Label No. EL 918828715 US

## APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

## ADDRESS TO:

Assistant Commissioner for Patents  
 Box Patent Application  
 Washington, DC 20231

1. ☒ Fee Transmittal Form (e.g., PTO/SB/17)  
(Submit an original and a duplicate for fee processing)
2. ☐ Applicant claims small entity status.  
See 37 CFR 1.27.
3. ☒ Specification [Total Pages 13]  
(preferred arrangement set forth below)
  - Descriptive title of the invention
  - Cross Reference to Related Applications
  - Statement Regarding Fed sponsored R & D
  - Reference to sequence listing, a table, or a computer program listing appendix
  - Background of the Invention
  - Brief Summary of the Invention
  - Brief Description of the Drawings (if filed)
  - Detailed Description
  - Claim(s)
  - Abstract of the Disclosure
4. ☒ Drawing(s) (35 U.S.C. 113) [Total Sheets 3]
5. ☐ Oath or Declaration [Total Pages ]
  - a. ☐ Newly executed (original or copy)
  - b. ☐ Copy from a prior application (37 CFR 1.63 (d))  
(for continuation/divisional with Box 18 completed)
    - i. ☐ **DELETION OF INVENTOR(S)**  
Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).
6. ☐ Application Data Sheet. See 37 CFR 1.76

7. ☐ CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)
8. Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary)
  - a. ☐ Computer Readable Form (CRF)
  - b. Specification Sequence Listing on:
    - i. ☐ CD-ROM or CD-R (2 copies); or
    - ii. ☐ paper
  - c. ☐ Statements verifying identity of above copies

## ACCOMPANYING APPLICATION PARTS

9. ☐ Assignment Papers (cover sheet & document(s))
10. ☐ 37 CFR 3.73(b) Statement of Power of Attorney (when there is an assignee)
11. ☐ English Translation Document (if applicable)
12. ☐ Information Disclosure Statement (IDS)/PTO-1449 [Copies of IDS Citations]
13. ☐ Preliminary Amendment
14. ☒ Return Receipt Postcard (MPEP 503) (Should be specifically itemized)
15. ☐ Certified Copy of Priority Document(s) (if foreign priority is claimed)
16. ☐ Request and Certification under 35 U.S.C. 122 (b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent.
17. ☒ Other: Associate Power of Attorney

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP)

of prior application No.: \_\_\_\_\_ / \_\_\_\_\_

Prior application information:

Examiner: \_\_\_\_\_

Group Art Unit: \_\_\_\_\_

For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

## 19. CORRESPONDENCE ADDRESS

☐ Customer Number or Bar Code Label

(Insert Customer No. or Attach bar code label here)

or ☒ Correspondence address below

Name Paul J. Farrell, Esq.  
 Address DILWORTH & BARRESE, LLP  
 333 Earle Ovington Blvd.  
 City Uniondale State New York Zip Code 11553  
 Country U.S.A Telephone (516) 228-8484 Fax (516) 228-8516

Name (Print/Type) PAUL J. FARRELL Registration No. (Attorney/Agent) 33,494  
 Signature [Signature] Date June 27, 2001

CERTIFICATION UNDER 37 C.F.R. § 1.10

I hereby certify that this correspondence and the documents referred to as enclosed are being deposited with the United States Postal Service on date below in an envelope as "Express Mail Post Office to Addressee" Mail Label Number EL 918828715US addressed to: Assistant Commissioner for Patents, Box Patent Application, Washington, D.C. 20231.

Dated: June 27, 2001

Douglas M. Owens

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06/27/01

jc975 U.S. PTO

06/27/01

06/27/01

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**FEE TRANSMITTAL  
for FY 2001**

Patent fees are subject to annual revision.

**TOTAL AMOUNT OF PAYMENT** (\$ ) 898.00**Complete if Known**

Application Number	Not yet assigned
Filing Date	June 27, 2001
First Named Inventor	Dimitri Kanevsky
Examiner Name	
Group Art Unit	Not yet assigned
Attorney Docket No.	728-211 (YOR9-2001-0314 US1)

**METHOD OF PAYMENT (check one)**

- 1.
- ☒
- The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit Account Number **50-0510/IBM (Yorktown Heights)**Deposit Account Name **IBM (Yorktown Heights)**

- ☒
- Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17

☐ Applicant claims small entity status. See 37 CFR 1.27

- 2.
- ☐
- Payment Enclosed:

☐ Check ☐ Credit card ☐ Money Order ☐ Other**FEE CALCULATION****1. BASIC FILING FEE**

Large Entity	Small Entity	Fee Code (\$)	Fee Code (\$)	Fee Description	Fee Paid
101	710	201	355	Utility filing fee	\$710.00
106	320	206	160	Design filing fee	
107	490	207	245	Plant filing fee	
108	710	208	355	Reissue filing fee	
114	150	214	75	Provisional filing fee	

**SUBTOTAL (1)** (\$ ) 710.00**2. EXTRA CLAIM FEES**

Total Claims	Extra Claims	Fee from below	Fee Paid
26	-20** = 6	18	\$108
4	-3** = 1	80	\$80
		270	0

\*\*or number previously paid, if greater; For Reissues, see below

Large Entity	Small Entity	Fee Code (\$)	Fee Code (\$)	Fee Description
103	18	203	9	Claims in excess of 20
102	80	202	40	Independent claims in excess of 3
104	270	204	135	Multiple dependent claim, if not paid
109	80	209	40	** Reissue independent claims over original patent
110	18	210	9	** Reissue claims in excess of 20 and over original patent

**SUBTOTAL (2)** (\$ ) 188.00**FEE CALCULATION (continued)****3. ADDITIONAL FEES**

Large Entity	Small Entity	Fee Code (\$)	Fee Code (\$)	Fee Description	Fee Paid
105	130	205	65	Surcharge - late filing fee or oath	
127	50	227	25	Surcharge - late provisional filing fee or cover sheet	
139	130	139	130	Non-English specification	
147	2,520	147	2,520	For filing a request for <i>ex parte</i> reexamination	
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for reply within first month	
116	390	216	195	Extension for reply within second month	
117	890	217	445	Extension for reply within third month	
118	1,390	218	695	Extension for reply within fourth month	
128	1,890	228	945	Extension for reply within fifth month	
119	310	219	155	Notice of Appeal	
120	310	220	155	Filing a brief in support of an appeal	
121	270	221	135	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive - unavoidable	
141	1,240	241	620	Petition to revive - unintentional	
142	1,240	242	620	Utility issue fee (or reissue)	
143	440	243	220	Design issue fee	
144	600	244	300	Plant issue fee	
122	130	122	130	Petitions to the Commissioner	
123	50	123	50	Processing fee under 37 CFR 1.17(q)	
126	240	126	240	Submission of Information Disclosure Stmt	
581	40	581	40	Recording each patent assignment per property (times number of properties)	
146	710	246	355	Filing a submission after final rejection (37 CFR § 1.129(a))	
149	710	249	355	For each additional invention to be examined (37 CFR § 1.129(b))	
179	710	279	355	Request for Continued Examination (RCE)	
169	900	169	900	Request for expedited examination of a design application	

Other fee (specify) \_\_\_\_\_

\* Reduced by Basic Filing Fee Paid

**SUBTOTAL (3)** (\$ ) 0.00**SUBMITTED BY**

Name (Print/Type)	Paul J. Farrell	Registration No. (Attorney/Agent)	33,494	Telephone	(516) 228-8484
Signature	<i>Paul J. Farrell</i>	Date	June 27, 2001		

**CERTIFICATION UNDER 37 C.F.R. § 1.10**

I hereby certify that this correspondence and the documents referred to as enclosed are being deposited with the United States Postal Service on date below in an envelope as "Express Mail Post Office to Addressee" Mail Label Number EL918828715US addressed to: Assistant Commissioner for Patents, Box Patent Application, Washington, D.C. 20231.

Dated: June 27, 2001

*Douglas M. Owens*  
Douglas M. Owens

Washington, D.C. 20231

Sir:

Date: June 27, 2001Express Mail Label: EL 918828715 USDate of Deposit: June 27, 2001

Transmitted herewith for filing is the Patent Application of:

Inventors: **DIMITRI KANEVSKY, WLODEK W. ZADROZNY and SARA H. BASSON**For: VOLUME REGULATING AND MONITORING SYSTEMEnclosed are: ☒ 7 sheets of specification; ☒ 1 sheet(s) of Abstract;  
☒ 5 sheet(s) of claims; ☒ 3 sheet(s) of drawing(s);

- ☐ An assignment of the invention to International Business Machines Corporation with Recordation Form.
- ☐ Declaration and Power of Attorney.
- ☐ A certified copy of a \_\_\_\_\_ application, from which priority under Title 35 USC §119 is claimed.
- ☒ Associate Power of Attorney.

The filing fee has been calculated as shown below:

(Col. 1)		(Col. 2)	OTHER THAN A SMALL ENTITY	
FOR:	NO. FILED	NO. EXTRA	RATE	FEE
BASIC FEE				\$ 710.00
TOTAL CLAIMS	26 -20 =	6	X \$18 =	108.00
INDEP CLAIMS	4 -3 =	1	X \$80 =	80.00
MULTIPLE DEPENDENT CLAIMS PRESENTED			+ 270 =	
			TOTAL	\$ 898.00

If the difference in Col. 1 is less than zero, enter "0" in Col. 2.

- ☐ A check in the amount of \$\_\_\_\_\_ to cover the ☐ filing fee(s) and a check to cover the ☐ recording fee are enclosed.
- ☒ Please charge my Deposit Account No. 50-0510 in the amount of \$ 898.00.
- ☒ The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 50-0510/IBM (Yorktown Heights). A duplicate copy of this sheet is enclosed.
- ☒ Any additional filing fees required under 37 CFR 1.16.
- ☒ Any patent application processing fees under 35 CFR 1.17.

Respectfully submitted,

By: Paul J. Farrell  
Registration No. 33,494Please address all  
correspondence to:DILWORTH & BARRESE, LLP  
333 Earle Ovington Boulevard  
Uniondale, NY 11553  
Tel: (516) 228-8484  
Fax: (516) 228-8516Attorney for:  
IBM Corporation  
Intellectual Property Law Dept.  
P.O. Box 218  
Yorktown Heights, NY 10598**CERTIFICATION UNDER 37 C.F.R. § 1.10**

I hereby certify that this New Application Transmittal and the documents referred to as enclosed therein are being deposited with the United States Postal Service on this date June 27, 2001 in an envelope as "Express Mail Post Office to Addressee" Mail Label Number EL 918828715 US addressed to: BOX PATENT APPLICATION, Assistant Commissioner for Patents, Box PATENT APPLICATION, Washington, D.C. 20231.

  
Douglas M. Owens

PATENT

Atty. Docket No. 728-211 (YOR9-2001-0314 US1)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

**BOX PATENT APPLICATION**

Assistant Commissioner for Patents  
Washington, D.C. 20231

UTILITY APPLICATION DATA SHEET UNDER 37 C.F.R. § 1.76

Sir:

Transmitted herewith for filing is the patent application of

Inventor(s): DIMITRI KANEVSKY, WLODEK W. ZADROZNY and  
SARA H. BASSON

For: VOLUME REGULATING AND MONITORING SYSTEM

Enclosed are:

- [X] 13 page(s) of specification  
(including **claims** and **abstract**)
- [X] 3 sheets of drawings [ ] formal [X] informal
- [X] \_\_\_\_\_ page(s) of Declaration and Power of Attorney
- [X] \_\_\_\_\_ page(s) An Assignment of the invention  
(including **Recordation Form Cover Sheet**)
- [X] 1 page(s) Associate Power of Attorney

Assignee Name: INTERNATIONAL BUSINESS MACHINES CORPORATION

Assignee Residence: Armonk, New York

CERTIFICATION UNDER 37 C.F.R. § 1.10

I hereby certify that this New Application Transmittal and the documents referred to as enclosed therein are being deposited with the United States Postal Service on this date June 27, 2001 in an envelope as "Express Mail Post Office to Addressee" Mail Label Number EL 918828715 US addressed to: Assistant Commissioner for Patents, Box Patent Application, Washington, D.C. 20231.

Douglas M. Owens

(Type or print name of person mailing paper)

  
(Signature of person mailing paper)

[ ] This application claims the benefit under 35 U.S.C. §119(e) of U.S. Provisional Application(s) No(s):

APPLICATION NO(S):

FILING DATE

\_\_\_\_/\_\_\_\_

\_\_\_\_\_

\_\_\_\_/\_\_\_\_

\_\_\_\_\_

[ ] Certified copy of applications

Country

Appln. No.

Filed

from which priority under Title 35 United States Code, § 119 is claimed

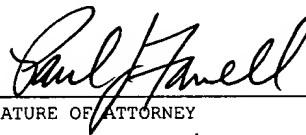
[ ] is enclosed.

[ ] will follow.

[X] Address all future correspondence to:

Paul J. Farrell, Esq.  
DILWORTH & BARRESE LLP  
333 Earle Ovington Boulevard  
Uniondale, New York 11553  
(516) 228-8484

Date: June 27, 2001



SIGNATURE OF ATTORNEY

Paul J. Farrell

Reg. No. 33,494

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